

COUNTY COUNCIL
OF
TALBOT COUNTY

2020 Legislative Session, Legislative Day No.: October 27, 2020


Resolution No.: 297

Introduced by: Mr. Callahan, Mr. Divilio, Mr. Leshner, Mr. Pack, Ms. Price

A RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF GLENWOOD AVENUE IN "AS IS" CONDITION TO THE TOWN OF EASTON BY QUITCLAIM DEED FOR NO MONETARY CONSIDERATION

By the Council: October 27, 2020

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, December 8, 2020 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: 
Susan W. Moran, Secretary

RESOLUTION AUTHORIZING THE TRANSFER OF A PORTION OF GLENWOOD AVENUE IN “AS IS” CONDITION TO THE TOWN OF EASTON BY QUITCLAIM DEED FOR NO MONETARY CONSIDERATION

WHEREAS, Talbot County, Maryland (the “**County**”) owns and maintains a portion of a public road right-of-way known as Glenwood Avenue (the “**Road**”) located in the Town of Easton, Maryland (the “**Town**”); and,

WHEREAS, the Road to be conveyed consists of 1.034 acres± and is shown and described on a plat titled “BOUNDARY SURVEY OF A PORTION OF GLENWOOD AVENUE IN THE TOWN OF EASTON TALBOT COUNTY, MARYLAND”, prepared by Fink, Whitten & Associates, LLC, and signed May 12, 2020, a copy of which is attached hereto as Exhibit “A”, and further shown and described in a metes and bounds description titled “LEGAL DESCRIPTION OF A PORTION OF GLENWOOD AVENUE IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND”, prepared by Fink, Whitten & Associates, LLC, and signed May 14, 2020, a copy of which is attached hereto as Exhibit “B”; and,

WHEREAS, the Town has requested that the County convey the Road to the Town, and the County is willing to convey the Road to the Town in “as is” condition for no monetary consideration; and,

WHEREAS, Local Government Article (“LG”) § 10-312, Md. Code Ann., states that the County may provide for the disposal of any real or leasehold county property provided that “before the county makes any disposition, grant, or lease of county property, the county shall publish notice of the disposition, grant, or lease once a week for 3 successive weeks in at least one newspaper of general circulation in the county and shall include the terms and the compensation to be received and give opportunity for objections.”; and,

WHEREAS, transferring the Road to the Town will not eliminate the Road’s continued availability and use as a public thoroughfare. Following the transfer, the Road will continue in use for the benefit of the general public, but shall be owned by and subject to the jurisdiction and control of the Town rather than the County.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Talbot County, Maryland that:

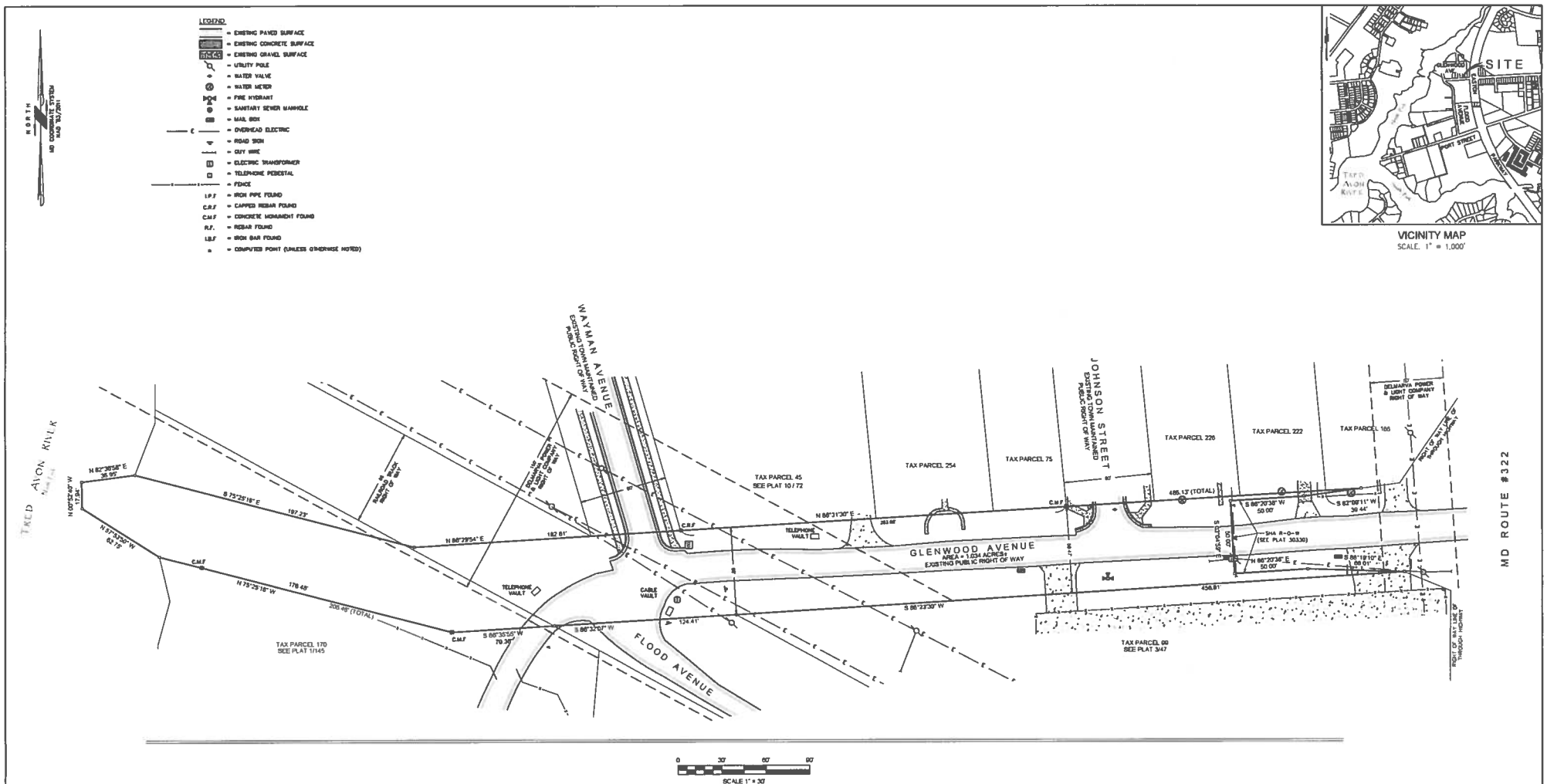
1. The recitals above are hereby incorporated as if fully set forth herein.
2. The County Council finds that:
 - (a) The County has duly advertised the proposed transfer and given opportunity for public comment pursuant to LG § 10-312;
 - (b) The requirements of LG § 10-312 have been fulfilled;
 - (c) The Road will continue in use as a public thoroughfare for the benefit of the general public, subject to the ownership, jurisdiction, and control of the Town rather than the County;

(d) To the extent the County is required to find that the Road is no longer needed by the County for the County's public use, such a finding is hereby made, recognizing that said road shall continue to be used for a public use upon being transferred to the Town, as stated in preceding paragraph; and,

(e) The County is lawfully authorized to transfer the Road to the Town.

3. The County Council hereby authorizes the Council President to transfer the Road to the Town of Easton in "as is" condition for no monetary consideration by quitclaim deed in form and manner approved by the Talbot County Office of Law.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.



UNDERGROUND UTILITY WARNING

NO INVESTIGATION AS TO THE EXISTENCE OF ANY UNDERGROUND UTILITIES WAS CONDUCTED IN THE PREPARATION OF THIS PLAT. IT IS THE RESPONSIBILITY OF THE OWNER, SUCCESSORS, OR ASSIGNS, AND/OR ANY CONTRACTOR TO COMPLY WITH THE UNDERGROUND FACILITIES DAMAGE PREVENTION LAW AND THE REQUIREDE PERMITS ARISING THEREFROM.

PURPOSE STATEMENT

THIS PLAT IS INTENDED TO ACCOMPANY A DEED OF TRANSFER FROM TALBOT COUNTY, MARYLAND TO THE TOWN OF EASTON OF ALL RIGHT, TITLE AND INTEREST OF THE COUNTY IN THE PORTION OF OLDWOOD AVENUE SHOWN HEREON.

SURVEYOR'S CERTIFICATION
I DO HEREBY CERTIFY TO THE TOWN OF EASTON THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN DL13.08.03, DL13.08.04 AND DL13.08.12 OF THE ANNOTATED CODE OF MARYLAND, WITHOUT REVIEW OF AN ABSTRACT OF TITLE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

ACCOUNTS TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Steven H. Whitten 3/12/2020
DATE

STEVEN H. WHITTEN
PROFESSIONAL LAND SURVEYOR MD. NO. 21326
CURRENT LICENSE EXPIRES/RENEW: 1/8/2021



FINK, WHITTEN & ASSOCIATES, LLC.

LAND SURVEYING LAND PLANNING
ENVIRONMENTAL CONSULTING
REMITTING:

EASTON
410-822-8434
113 E. Down St. East E
Easton Maryland 21001

CAMBRIDGE
410-279-5855
394 Maryland Avenue
Cambridge Maryland 21613

[illegible]

BOUNDARY SURVEY
OF A PORTION OF
GLENWOOD AVENUE

IN THE TOWN OF EASTON
TALBOT COUNTY, MARYLAND

DRAWN B.S.F	CHECKED S.W.W
DATE 5 / 6 / 2020	
SCALE 1" = 30'	
JOB NO. T-34-9-170	



FINK, WHITTEN & ASSOCIATES, LLC

Land Surveying • Land Planning • Environmental Consulting • Permitting
www.finkwhitten.com

504 Maryland Avenue
Cambridge, MD 21613
410-228-8885 phone
410-228-8845 fax

113 E. Dover Street
Unit C
Easton, MD 21601
410-822-8484 phone

May 13, 2020

**LEGAL DESCRIPTION
OF A
PORTION OF GLENWOOD AVENUE**

In the Town of Easton,
Talbot County, Maryland

ALL THAT PART OR PORTION OF LAND SITUATE, LYING AND BEING ON THE EASTERN SIDE OF MD ROUTE No. 322, a.k.a. EASTON PARKWAY IN TALBOT COUNTY, STATE OF MARYLAND, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR FOUND, SAID CAPPED REBAR BEING AT THE INTERSECTION OF THE NORTHEASTERN RIGHT OF WAY LINE OF WAYMAN AVENUE AND THE NORTHERN RIGHT OF WAY LINE OF GLENWOOD AVENUE; THENCE RUNNING WITH THE NORTHERN RIGHT OF WAY LINE OF GLENWOOD AVENUE

(1) N 86°31'30" E A DISTANCE OF 465.13' TO A POINT, PASSING THROUGH A CONCRETE MONUMENT FOUND 263.88' FROM THE BEGINNING THEREOF, SAID CONCRETE MONUMENT BEING AT THE INTERSECTION OF THE SOUTHWESTERN RIGHT OF WAY LINE OF JOHNSON STREET AND THE HEREIN DESCRIBED NORTHERN RIGHT OF WAY LINE OF GLENWOOD AVENUE, AFORESAID POINT BEING ON THE WESTERN RIGHT OF WAY LINE OF MD ROUTE No. 322 , a.k.a. EASTON PARKWAY (SRC PLAT No. 30330); THENCE RUNNING WITH THE SAID WESTERN RIGHT OF WAY LINE OF MD ROUTE No. 322 THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

(2) S 82°09'11" W A DISTANCE OF 39.44' TO A POINT; THENCE

(3) S 86°20'38" W A DISTANCE OF 50.00' TO A POINT; THENCE

(4) S 03°04'59" E A DISTANCE OF 50.00' TO A POINT; THENCE

(5) N 86°20'38" E A DISTANCE OF 50.00' TO A POINT; THENCE

(6) S 88°19'10" E A DISTANCE OF 66.01' TO A POINT; THENCE LEAVING THE SAID WESTERN RIGHT OF WAY LINE OF MD ROUTE No. 322 AND RUNNING WITH THE SOUTHERN RIGHT OF WAY LINE OF GLENWOOD AVENUE THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

(7) S 86°23'30" W A DISTANCE OF 456.91' TO A POINT; THENCE
(8) S 86°32'07" W A DISTANCE OF 124.41' TO A POINT; THENCE
(9) S 86°35'55" W A DISTANCE OF 70.36' TO A CONCRETE MONUMENT FOUND; THENCE
(10) N 75°25'16" W A DISTANCE OF 206.46' TO A POINT, PASSING THROUGH A CONCRETE MONUMENT FOUND 176.48' FROM THE BEGINNING THEREOF, AFORESAID POINT BEING ON THE APPROXIMATE MEAN HIGH WATER LINE OF NORTH FORK OF TRED AVON RIVER; THENCE WITH THE SAID APPROXIMATE MEAN HIGH WATER LINE OF NORTH FORK OF TRED AVON RIVER
(11) N 57°53'50" W A DISTANCE OF 62.75' TO A POINT; THENCE
(12) N 00°52'40" W A DISTANCE OF 17.94' TO A POINT; THENCE
(13) N 82°36'58" E A DISTANCE OF 36.95' TO A POINT; THENCE LEAVING THE SAID APPROXIMATE MEAN HIGH WATER LINE OF NORTH FORK OF TRED AVON RIVER AND RUNNING WITH THE SAID NORTHERN RIGHT OF WAY LINE OF GLENWOOD AVENUE THE FOLLOWING TWO COURSES AND DISTANCES:
(14) S 75°25'16" E A DISTANCE OF 197.23' TO A POINT; THENCE
(15) N 86°29'54" E A DISTANCE OF 182.61' TO THE POINT OF BEGINNING, SAID HEREIN DESCRIBED LAND CONTAINING AN AREA OF 1.034 ACRES, MORE OR LESS.

Prepared under my direct supervision in accordance with 09.13.03.08 and 09.13.03.12 of the Annotated Code of Maryland.



5/14/2020

Steven W. Whitten
Professional Land Surveyor MD. 21326
Current License Expires / Renews: 1/8/2021



PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. _____ having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: _____

By Order:

Susan W. Moran, Secretary

Pack -

Divilio -

Callahan -

Price -

Leshner -

EFFECTIVE: _____